

Remarks

Claims 1-27 and 29-38 are pending. Claims 11-12, 18-22 and 29-36 are cancelled. Claims 1, 2, 9, 14 and 23 are currently amended. Claims 39 and 40 are new. Support for the amendments and new claims can be found at, for example, paragraphs [0030]-[0035], Fig. 12, and the claims in the originally filed application. Certain of the amendments are merely made for the sake of clarity. The Applicants respectfully request entry of the amendments and new claims which are believed to place the application in better condition for allowance or, alternatively appeal.

Claims 1-5, 8, 10, 14-17, 23-27 and 37-38 stand rejected under 35 USC §103(a) over the various combinations of US '522, US '492, Zierdt, US '215 and US '925 cited in the Official Action.

Amended Claims 1-5, 8, 10, 14-17, 23-27 and 37-38 are not obvious. The amended claims now recite the step of

“[P]roviding a sterile device for concentrating microbes possibly present in a blood product containing blood cells comprising

a first watertight, sterile tank containing a piston and at least one blood cell aggregation agent and, optionally, at least one marker agent for labeling pathogenic microbes;

a second watertight, sterile tank containing at least one lysis agent for blood cells and, optionally, at least one marker agent for labeling pathogenic microbes;

a first filter located between the first tank and the second tank and having pores;

a second filter enclosed in a membrane support having two removable, separable parts and located downstream of the second tank and having pores;

a first watertight, sterile connector joining the first tank and the first filter;

a second watertight, sterile connector joining the first filter and the second tank;

a third watertight, sterile connector joining the second tank and the second filter;

a fourth watertight, sterile connector comprising a reverse lock valve and joining a bag containing a blood product to the first sterile tank”

and specify that the steps of the claimed methods are performed by this device. This is important because none of the cited references appear to teach the specified device, or all of its elements, as recited in the claims or that the steps of the method are performed by the specified device. This

means the cited references fail to teach all the elements of the amended claims. Stated differently, the rejections fail to establish *prima facie* obviousness. The Applicants respectfully request withdrawal of the obviousness rejections.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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